No. 203.

Br. of Green for P. in Error

Filed Oct. 4, 1901.

Office Supreme Court
FILED
OCT 4 1901
JAMES H. McKENNEY,
Clerk

Supreme Court of the United States.

OCTOBER TERM, 1901.

THE HANOVER NATIONAL BANK OF THE CITY OF NEW YORK,
Plaintiff in Error.
vs.
MAX MOYSES.
Defendant in Error.

No 203.

Writ of error to the Circuit Court of the United States for the Eastern District of Tennessee.

MOTION TO ADVANCE FOR HEARING, WITH NOTICE, SERVICE THEREOF AND ARGUMENT.

MARCELLUS GREEN,
GARNER WYNN GREEN,
Attorneys for Plaintiff in Error.

IN THE

Supreme Court of the United States.

OCTOBER TERM, 1901.

THE HANOVER NATIONAL BANK OF THE CITY OF NEW YORK. *Plaintiff in Error.* vs. MAX MOYSES, *Defendant in Error.*	No. 203

NOTICE OF MOTION TO ADVANCE FOR HEARING.

Notice is hereby given that upon the record in the above styled cause the annexed motion to advance the same will be presented and submitted to the Supreme Court of the United States, at the Capitol in the City of Washington, on Monday, the 21st day of October, 1901, at the opening of court on that day, or as soon thereafter as counsel can be heard.

MARCELLUS GREEN,
GARNER WYNN GREEN,
Attorneys for Plaintiff
in Error.

To
GEORGE T. WHITE, ESQ., and
FRANCIS MARTIN, ESQ.,
Attorneys for Defendant
in Error.

IN THE

Supreme Court of the United States.

OCTOBER TERM. 1901.

THE HANOVER NATIONAL BANK OF THE CITY OF NEW YORK.
Plaintiff in Error.
vs.
MAX MOYSES.
Defendant in Error.

No. 203.

Writ of error to the Circuit Court of the United States for the Eastern District of Tennessee.

AFFIDAVIT OF SERVICE.

Before me, Henry O. Ewing, Clerk of the Circuit Court of the United States for the Eastern District of Tennessee, at my office in Chattanooga, in said district, this day personally appeared C. P. Evans, Deputy Marshal of the United States in and for said district, well known to me to be such, and being by me first duly sworn deposes and says that on this day he duly deliverrd in person to George T. White, Esq., one of the attorneys of record for the above named appellee, in person, a true copy of the attached motion, notice and brief of the argument.

Sworn to and subscribed before me this ..... day of ..... 1901.

....., Clerk.

IN THE

Supreme Court of the United States.

OCTOBER TERM, 1901.

THE HANOVER NATIONAL BANK OF THE CITY OF NEW YORK.
Plaintiff in Error.
vs.
MAX MOYSES.
Defendant in Error.

No. 203.

MOTION TO ADVANCE FOR HEARING.

This record brings up for review the constitutionality of the Act of Congress of 1898, entitled "An Act to Establish a Uniform System of Bankruptcy Throughout the United States." The discharge of defendant in error in a voluntary proceeding under said Act was admitted to be a legal bar to the action if the said act of Congress and the proceedings under it did not violate the Fifth Amendment, and Art. 1, Sec. 8, Par. 4, and Art. III, Sec. 1, of the Constitution of the United States. This question is *nova res* in this court, and its importance and far reaching consequences would seem to be so special and peculiar as to warrant this application.

MARCELLUS GREEN,
GARNER WYNN GREEN,
Attorneys for Plaintiff
in Error.